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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE
13 NORTHERN MARIANA ISLANDS
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15 AVIATION INDUSTRY REPORTING
16 SYSTEM, INC., CONTINENTAL
17 AIRLINES, INC. and NORTHWEST
18 AIRLINES, INC.,

19 Plaintiffs,

20 vs.

21 COMMONWEALTH OF THE
22 NORTHERN MARIANAS ISLAND
23 TRAVEL AGENCY, INC.,

24 Defendant.

25 CIVIL ACTION NO. CV-03-0039

26 DECLARATION IN SUPPORT OF
27 MOTION FOR AN ORDER TO
28 SHOW CAUSE IN RE: CONTEMPT

Date:
Time:
Judge: Hon. Alex R. Munson

29 I, ERIC S. SMITH, declare under penalty of perjury as follows:

- 30 1. I am one of the attorneys for Plaintiffs in the above referenced case.
31 2. The facts set forth in the attached Motion for an Order To Show Cause are true
32 and accurate to the best of my knowledge.
33 3. Judgment in the amount of \$165,114.45, costs of \$3,044.15 and accrued interest
34 of 3.82% per annum, were rendered against Defendant CNMI Travel Agency on
35 January 24, 2005.
36 4. On June 28, 2005, this Court ordered Defendant to pay Plaintiffs the amount of
37 \$1,500.00 every first day of the month beginning July 1, 2005.
38 5. Defendant failed to make any payments for the months of October, November and
39 December, 2005 and for the months of January and February, 2006.

1 6. I spoke with CNMI Travel Agency's legal counsel, Joshua Berger, regarding
2 this matter several times but no payment has been received from Defendant to
3 date.

I declare under penalty of perjury that the foregoing is true and correct and
that this Declaration was executed on March 1, 2006, at Garapan, CNMI.


ERIC S. SMITH
Declarant

ERIC S. SMITH
Declarant